

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 1826A

1 WHEREAS, Larry and Blanche Schwarck have submitted an application  
2 designated as Special Permit No. 1826A to amend the Haven Manor Retirement Facility  
3 by increasing the number of residents from 37 to 46 on property generally located at South  
4 56th Street and Linden Street, and legally described to wit:

5 Lot 1, Block 1, Piazza Addition, Lincoln, Lancaster County,  
6 Nebraska;

7 WHEREAS, the real property adjacent to the area included within the site  
8 plan for this amendment to Haven Manor Retirement Facility will not be adversely affected;  
9 and

10 WHEREAS, said site plan together with the terms and conditions hereinafter  
11 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
12 Code to promote the public health, safety, and general welfare.

13 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
14 Lincoln, Nebraska:

15 That the application of Larry and Blanche Schwarck, hereinafter referred to  
16 as "Permittee", to amend the Haven Manor Retirement Facility by increasing the number  
17 of residents from 37 to 46, on the property legally described above, be and the same is  
18 hereby granted under the provisions of Section 27.63.530 of the Lincoln Municipal Code  
19 upon condition that construction and operation of said expansion be in strict compliance  
20 with said application, the site plan, and the following additional express terms, conditions,  
21 and requirements:

1                   1.     This permit approves a domiciliary care facility for a maximum of 46  
2 residents conforming to 50% density bonus regulations.

3                   2.     Before receiving building permits:

4                   a.     The Permittee must submit a revised and acceptable final plan  
5 including five copies.

6                   b.     The Construction plans must conform to the approved plans.

7                   3.     Before occupying the dwelling units, all development and construction  
8 must be completed in conformance with the approved plans.

9                   4.     All privately-owned improvements must be permanently maintained  
10 by the Permittee.

11                  5.     The site plan approved by this permit shall be the basis for all  
12 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
13 elements, and similar matters.

14                  6.     The terms, conditions, and requirements of this resolution shall be  
15 binding and obligatory upon the Permittee, their successors, and assigns. The building  
16 official shall report violations to the City Council which may revoke the special permit or  
17 take such other action as may be necessary to gain compliance.

18                  7.     The Permittee shall sign and return the City's letter of acceptance to  
19 the City Clerk within 30 days following approval of the special permit, provided, however,  
20 said 30-day period may be extended up to six months by administrative amendment. The  
21 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
22 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
23 Permittee.

1                   8.     The site plan as approved with this resolution voids and supersedes  
2 all previously approved site plans, however, all resolutions approving previous permits  
3 remain in force unless specifically amended by this resolution.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2004:

\_\_\_\_\_  
Mayor